

**CITY OF WIXOM
49045 PONTIAC TRAIL
REGULAR CITY COUNCIL MEETING MINUTES
TUESDAY, NOVEMBER 28, 2023**

Mayor Beagle called the meeting to order at 7:00 p.m. and the Pledge of Allegiance was recited.

Present:

Mayor: P. Beagle
Deputy Mayor: T. Rzeznik
Councilmembers: P. Behrmann
K. Gottschall
T. Gronlund-Fox
P. Sharpe
R. Smiley

AGENDA CHANGES: (None)

MINUTES:

CM-11-166-23: Moved and seconded by Councilmembers Gottschall and Gronlund-Fox to approve the Regular City Council meeting minutes of November 14, 2023.

Vote:

Motion Carried

CORRESPONDENCE: (None)

CALL TO THE PUBLIC:

There were no public comments at this time.

CITY MANAGER'S REPORTS:

1.) Departmental Monthly Report – October 2023

There were no comments or questions regarding this report.

CONSENT AGENDA:

CM-11-167-23: Moved and seconded by Councilmember Smiley and Deputy Mayor Rzeznik to approve the Consent Agenda as presented which included:

- 1.) Approval to receive and file:
 - a.) Planning Commission Minutes – October 16, 2023
- 2.) Recommendation to Approve the Amended 2024 City Council Meeting Schedule, Moving the February 27, 2024 Date to February 20, 2024, Due to the Presidential Primary Election and Authorization for the City Clerk to Post this Schedule as Required by Section 4(2) of the Open Meetings Act (Public Act 267 of 1976)

Vote:

Motion Carried

UNFINISHED BUSINESS: (None)

NEW BUSINESS:

- 1.) **Recommendation to Approve the Introduction of an Ordinance to Amend the Code of Ordinances for the City of Wixom Title 18, Zoning, Chapter 18.24, Definitions, Section 18.24.080, to Revise the Definitions of Mini-Warehouse and Storage Units as Recommended by the Planning Commission**

CM-11-168-23: Moved and seconded made by Deputy Mayor Rzeknik and Councilmember Gronlund-Fox to approve the Introduction of an Ordinance to Amend the Code of Ordinances for the City of Wixom Title 18, Zoning, Chapter 18.24, Definitions, Section 18.24.080, to revise the definitions of mini-warehouse and storage units as recommended by the Planning Commission.

Mr. Benson stated that this all stemmed from a conversation earlier with the Planning Commission about storage units in the City - how many we have, the different types that there are and whether we wanted to take a closer look at our regulations related to them. Their recommendation was to define mini-warehouses and storage units and break them up into two different categories (climate control facilities and outdoor storage units). The definitions then go toward New Business #2 where we are recommending new specific standards that correspond to those new definitions. The intent was to be more specific about what types of mini-storage would be allowed in what types of properties within the M1 and M2 Industrial Districts in the City.

Deputy Mayor Rzeknik asked if open yards where people store RVs and boats on the land itself were covered in either of those definitions. Mr. Benson said no. Outdoor storage has a separate set of specific standards. Those are done as an accessory special land use.

Vote:

Motion Carried

- 2.) **Recommendation to Approve the Introduction of an Ordinance to Amend the Code of Ordinances for the City of Wixom Title 18, Zoning, Chapter 18.09, Industrial Districts, Section 18.09.020 and Section 18.09.040, to Revise the Specific Standards Applicable to Mini-Warehouse and Storage Buildings for Lease within Industrial Districts and Change Mini-Warehousing and Storage to a Special Land Use in the General Industrial Zoning District as Recommended by the Planning Commission**

CM-11-169-23: Moved and seconded made by Councilmembers Gronlund-Fox and Sharpe to approve the Introduction of an Ordinance to amend the Code of Ordinances for the City of Wixom Title 18, Zoning, Chapter 18.09, Industrial Districts, Section 18.09.020 and Section 18.09.040, to revise the specific standards

applicable to mini-warehouse and storage buildings for lease within Industrial Districts and change mini-warehousing and storage to a Special Land Use in the General Industrial Zoning District as recommended by the Planning Commission.

Mr. Benson said the recommended amendments to Section 18.09.020 were to change mini-warehouses and storage units from a permitted use to a special land use in the M2 General Industrial District. Previously it had been a use permitted by right. The M2 District is relatively small. It is really only applicable to the former Ford property. This would just clear that up and add some layers of control related to storage. The amendments to 18.09.040 reference back to the recommended definition changes and add more detailed standards for reviewing special land use requests for climate control self-storage facilities and drive up self-storage.

Vote:**Motion Carried**

3.) Recommendation to Approve the Introduction of an Ordinance to Amend the Code of Ordinances for the City of Wixom Title 18, Zoning, Chapter 18.08, Office and Research Districts, Section 18.08.020 and Section 18.08.040, to Revise the Schedule of Uses Related to Conference Centers, Convention and Meeting Facilities, Banquet Halls, Hotel/Motels and Commercial Recreation Within Office and Research Districts and Add Additional Standards for Hotel or Motel Uses as Recommended by the Planning Commission

CM-11-170-23: Moved and seconded by Deputy Mayor Rzeznik and Council-member Gronlund-Fox to approve the Introduction of an Ordinance to Amend the Code of Ordinances for the City of Wixom Title 18, Zoning, Chapter 18.08, Office and Research Districts, Section 18.08.020 and Section 18.08.040, to revise the Schedule of Uses related to Conference Centers, Convention and Meeting Facilities, Banquet Halls, Hotel/Motels and Commercial Recreation Within Office and Research Districts and add additional standards for Hotel or Motel Uses as recommended by the Planning Commission

Mr. Benson said the basis for this set of amendments was a result of another conversation with the Planning Commission related to the number of hotels in the IRO zoning districts. The question became what are the types of uses that we want to see in Industrial Research Office zoning districts, not necessarily that we don't appreciate the hotels that we have. Now that the City is more built out, we may want to take a closer look at the uses we are looking for. Ultimately, that conversation took a larger look at prospective uses within the IRO district and that was where the addition of commercial recreation comes into play. That was a use permitted within our M1 Light Industrial Districts but was not mentioned in the IRO Districts. In order to add a little bit of equity, the Planning Commission was interested in recommending to add commercial recreation as a special land use in the IRO subject to the same specific standards that commercial recreation was subject to in the Light Industrial Districts.

In regards to the hotel discussion, originally the Planning Commission had discussed prohibiting hotels as a use in the IRO District. If we had moved down that path, it would have created two non-conforming hotels. At the time of their approval, it was a permitted use. The recommendation to rezone those parcels was in an effort to not penalize those hotels by having them have non-conforming status which becomes a problem for financing and adjustments they may make on the site. The intent was not to cause harm to the existing buildings. After public hearings, we did have some comments from adjacent vacant property owners about the hotels and the argument about maintaining flexibility for those types of uses may be of value. That property owner did express an interest in developing more hotels but did not have any plans submitted. The Planning Commission took that into account and the specific standards that are recommended within this proposed ordinance reflect changing a hotel from a permitted use to a special land use with specific standards that require any hotels to be permitted would have to be adjacent to freeway service. That limits the available spaces that could happen. The Planning Commission felt that was a compromise that met their overarching attempt to direct the types of developments that we would like to see in the IRO districts. There are other specific standards that go along with the hotel/motel uses and it creates a carve out for hotels/motels as an accessory use to either commercial recreation or conference centers or convention centers. It was intentional to create some flexibility for potential larger uses (like Suburban Showplace).

Deputy Mayor Rzeknik asked if restaurants and taverns were still special land use and permitted but they were SLU. Mr. Benson said yes. The intention was not to impact that at all.

Councilmember Gottschall said when the hotels were approved and built, it was IRO and they were automatically approved. Mr. Benson said that they still had to get site plan approval, but they were a use permitted by right. Councilmember Gottschall said that now they are special land use under IRO. The Planning Commission thought about doing away with that completely and now they want to leave it as special land use but add restrictions. Mr. Benson noted that they want to move it from a permitted use to a special land use. It was adding a layer of discretion and standards that they exercise that discretion. It is a permitted use right now. Councilmember Gottschall said the wording indicates they would be allowed hotels and motels if it was in a lot directly adjacent to freeway service. He asked if we were counting across the street as directly adjacent or just on the same side of the street. Mr. Benson said across the street was considered adjacent. This wouldn't negatively impact that property owner. They would still have to get special land use approval but it leaves the option open to move down that path. There are two parcels that are unspoken for that would be impacted. Councilmember Gottschall wanted to make sure the other side of the street would be included. He asked if Woodspring was also freeway service. It seemed it would be right on the border of freeway service and B3. Mr. Benson said the newest hotel in the Meijer out lot was B3. Councilmember Gottschall didn't think this would cause an issue with the landowner, which was his primary concern. It almost seemed to him that we were creating issues for ourselves or adjusting things that didn't necessarily

need to be adjusted. He didn't understand why the property located near Osman Drive wasn't freeway service. He didn't know if we were hurting or helping the issue. Mr. Benson said that for the proposed rezoning, part of the justification was that they are directly adjacent to other freeway-zoned parcels, but also two hotels that are freeway service. He knew there were situations where zoning designations were not surrounded by the same thing; there are pockets. In this particular case, that wasn't something the Planning Commission seemed concerned with. In the case of the B3 transition, his understanding was the last Master Plan was to transition the Industrial Service (IS) to General Business (B3). Those would happen through property owner-initiated rezoning, similar to how Wixom Motors came to be. In this case, we are initiating it to prevent problems that such changes would create. Councilmember Gottschall asked what would prevent a hotel from being built right now. Mr. Benson said that this was only in relation to the IRO zoning district. It was still a permitted use in B3 and freeway service. Councilmember Gottschall said that we can call it being proactive, but it might be semi-meddling. Sometimes we get too deep in the weeds where we aren't actually accomplishing anything meaningful. It would be one thing if we just said we were going to add commercial recreation and we wouldn't have to talk about hotels. Now we are adding in hotel rules and he didn't know if that would be hurting or helping us.

Vote:

Motion Carried

4.) Recommendation to Approve the Introduction of an Ordinance to Rezone Approximately 2.03 Acres at 48953 Alpha Drive (PIN: 22-08-327-005) and 2.19 Acres at 48881 Alpha Drive (PIN: 22-08-327-006) from Industrial Research Office to Freeway Service as Recommended by the Planning Commission

CM-11-171-23: Moved and seconded by Councilmembers Sharpe and Smiley to approve the Introduction of an Ordinance to rezone approximately 2.03 acres at 48953 Alpha Drive (PIN: 22-08-327-005) and 2.19 acres at 48881 Alpha Drive (PIN: 22-08-327-006) from Industrial Research Office to Freeway Service as recommended by the Planning Commission.

Mr. Benson stated this recommendation was to prevent issues of non-conforming status for the two hotels that are zoned IRO on Alpha Drive. These would be the only properties that are developed that could have a specific adverse impact related to those ordinance changes because they wouldn't have the special land use. That could cause problems down the line. We are proactively recommending to rezone these parcels to freeway service.

Vote:

Motion Carried

5.) Recommendation to Award a Three-Year Contract for the Summer Concert Series to JAG Entertainment of Wixom, Michigan in an Amount of \$30,000 for 2024, \$30,900 for 2025 and \$31,830 for 2026 and Authorize the Mayor to Sign the Agreement

CM-11-172-23: Moved and seconded by Deputy Mayor Rzeknik and Councilmember Gronlund-Fox to award a three-year contract for the Summer Concert Series to JAG Entertainment of Wixom, Michigan in an amount of \$30,000 for 2024, \$30,900 for 2025 and \$31,830 for 2026 and authorize the Mayor to sign the agreement.

Ms. Magee indicated that we went out for bid for the concert series and we had one bidder, JAG Entertainment. They have held this contract for the last 16 years. She noted that she was happy with JAG.

Mayor Beagle commented that JAG has done a great job for us. They know what bands our community likes and they continue to book those bands. He was happy to support this contract for another three years.

Councilmember Behrmann said he had no problem with the concept of approving this, but he did have a problem with us signing the contract with all of the dates being wrong throughout it. Ms. Magee said that those dates will be corrected. Once the corrections were made, the Mayor will sign the contract.

Vote:

Motion Carried

6.) Recommendation to Accept the Proposal from the Umlor Group of Wixom, Michigan for Design Engineering Services for the Loon Lake Road Pathway for a Cost not to Exceed \$18,000 from Safety Path Engineering Account #223-555-965.390

CM-11-173-23: Moved and seconded by Councilmember Gronlund-Fox and Deputy Mayor Rzeknik to accept the proposal from the Umlor Group of Wixom, Michigan for Design Engineering Services for the Loon Lake Road Pathway for a cost not to exceed \$18,000 from Safety Path Engineering Account #223-555-965.390.

Mr. Sikma said that during the initial review of the Loon Lake Road construction, we found it was feasible to construct a portion of sidewalk between Lakeridge and Lamella on the south side of Loon Lake Road. He said that he asked Umlor to add that to the current contract and they requested a fee of \$18,000. He was recommending that we go ahead with the design now and we will add this to the construction project that we will do next summer.

Deputy Mayor Rzeknik commented that he has ridden that area on the road on his bike many times. He wondered if the slope caused any concern. Mr. Sikma said that was one of the reasons for the added cost for design. We do have some concern with the slopes, especially as they go off toward the south. There were also some ADA compliance issues that they will have to address to flatten some areas. He was hoping that would work out with the driveways that are already there.

Councilmember Gottschall confirmed that we would add this to the Loon Lake construction project and it would be done at the same time as the road. Mr. Sikma said that was correct. Councilmember Gottschall questioned the cost. Mr. Sikma said he did not have that cost estimate yet. We are planning to go six-feet wide. This will come out of the Sidewalks and Pathways budget that was passed recently. Councilmember Gottschall asked what would happen if we couldn't tie into the driveways there. Mr. Sikma said that it would all be in the road right-of-way and we have all of our rights-of-way in this area already. He was referring to the level portions. Councilmember Gottschall asked if there might be a need where we would be creating a retention wall in that area to meet the grading we needed for ADA compliance. He wondered how impactful this would be for those property owners. Mr. Sikma said he was not sure yet; that was why we had the engineers. Councilmember Gottschall didn't think we could answer that until we got into the design work. We will have to put that into the project. One thing he was leery about was creating a headache for those homeowners. Mr. Sikma said that Umlor did question the slopes and they seemed confident that they would be able to make that work.

Councilmember Sharpe supported this. He asked how this compared to what we have been paying HRC for safety path engineering. He recalled a much larger number for our 12 Mile Road project between St. Catherine's and Helfer Blvd, which might be slightly longer than the 1220 feet that this was. He thought we paid something close to \$80,000 for their engineering bill. He thought Umlor's number looked very affordable. We have worked with them in the past and he hoped we could keep them in the forefront for future projects.

Councilmember Behrmann thought that since they were already doing the street there, it made perfect sense for them to do the sidewalk. There would be no reason to bid this out.

Vote:

Motion Carried

- 7.) Recommendation to Authorize the Purchase of Ten Flock Safety Falcon License Plate Recognition Cameras with Installation, Poles and Proprietary Software for One Year at \$36,500 and an Annual Fee of \$30,000 from Flock Safety of Atlanta, Georgia, Authorize the Required Budget Amendment and Authorize the Mayor to Sign the Agreement**

CM-11-174-23: Moved and seconded by Councilmembers Smiley and Gronlund-Fox to authorize the purchase of ten Flock Safety Falcon License Plate Recognition Cameras with installation, poles and proprietary software for one year at \$36,500 and an annual fee of \$30,000 from Flock Safety of Atlanta, Georgia, authorize the required budget amendment and authorize the Mayor to sign the agreement.

Chief Langmeyer stated that this request was to purchase license plate recognition (LPR) cameras to put in the City. He stated that Sergeant Paul Machala has been working on this project since January. He asked Sergeant Machala to present this to the Council.

Sergeant Machala said he knew advanced license plate readers were used in Michigan, but it wasn't until this project that he realized how many agencies are using programs like this. Part of his research on these cameras was reviewing crime statistics and maps in Wixom. From January through October 11th of this year, we are up 21% compared to all of 2022 in Class A crimes and up 22% on Class B crimes. We are returning to pre-COVID stats and it is very concerning. The method that we have been trying to address has been data driven and extra patrols, which has resulted in very little effect on the statistics. One of the issues that we are faced with is that we are left with little to no evidence to follow up. When our officers are responding to these calls, typically there is no vehicle information or suspect information. He said that 70% of the crimes that are committed are using vehicles. The number one issue is the lack of evidence to make arrests and close cases. One of the most important benefits for LPR technology is that it provides a force multiplier. It is a constant watch for vehicles that are coming into and exiting the City. This technology can provide invaluable information for patrol officers, as well as investigations. He said that just this past weekend, the Wixom Police responded to an attempted auto theft. They reached out to Wolverine Lake who have Flock cameras and they were able to search for that vehicle. They came up with multiple hits on where that vehicle has been. Just having that photo with a license plate is massive. We are working in association with Novi Police, Milford Police and Oakland County Sheriff's Department to identify camera locations to best complement one another. He said that this technology is a vehicle fingerprint. It gives us the ability to pinpoint suspect vehicles, confirm vehicle details necessary to make arrests, gives us real-time alerts on when a suspect vehicle enters and exits our City. It has the capability to give that information to other agencies. Flock Safety is license plate recognition. It gathers objective evidence and facts about vehicles, not people. This is not facial recognition and nothing is personally identifiable. It is not used for traffic enforcement. The information that is collected is discarded after 30 days.

Sergeant Machala presented sample pictures taken with the Flock camera to the Council.

Mayor Beagle repeated that there was no facial recognition. It just took a picture of the license plate and we only hold the data for 30 days. We are not invading anybody's privacy by putting these up.

Sergeant Machala said that we don't have to have a license plate in order to search for a vehicle. If we respond to a call, we have a vague vehicle description, we can search the system for that specific vehicle.

Councilmember Behrmann asked if we were going to place these cameras on the surface streets or the freeways. Sergeant Machala indicated that the Michigan State Police handled the freeways. We are looking at our surface streets, our high-density streets.

Matt Wayne, Territory Manager from Flock, stated that the biggest issue with the freeway is that we want to make sure we have space to be able to position the cameras where the speed is not an issue. It can get up to 70 mph in one direction.

Deputy Mayor Rzeznik questioned if the Flock camera was able to identify the make, model and color in the daytime. Mr. Wayne replied that they identified certain identifying features, like make and color. We currently don't have an exact model but it would be type of vehicle and other identifying features. If there was a vague description of a red Chevy truck in the area, the Police Department would be able to go back to search those features to narrow down and hone in on suspect vehicles. Deputy Mayor Rzeznik understood that after 30 days, the information was deleted. He wondered if it would hold the information longer if there was a court case or subpoena. He asked if it was retrievable in any way. Mr. Wayne said that after 30 days, it is gone unless proactively a community votes on a longer duration of storage. The majority of agencies in Michigan use the 30-day timeframe. Deputy Mayor Rzeznik said he was very much in support of this. He thought it was a great program. He commented that we have the federal forfeiture fund that was meant for crime enforcement and anything related to law enforcement. With the current balance, it would cover the purchase of these cameras and our first-year contract. During the next fiscal year, we could budget for the \$30,000 for the annual license fees. He would rather see this type of thing taken out of the forfeiture budget.

Chief Langmeyer said that was an option. This was an authorized purchase in which to use the forfeiture funds for. The only thing he worries about is that it is limited and we are not putting any money back into that fund. If we use those funds and then we have a large emergency down the road, we won't be able to use those funds. He thought there was roughly \$160,000 in that fund.

Mayor Beagle suggested we buy the cameras with those funds and do a budget amendment for the \$30,000. We would still have money leftover if there was an emergency.

Councilmember Smiley understood his need for an emergency fund and it would be eaten up quickly if we were not careful with what we used it for. He stated that since several neighboring communities have this system, he wondered if we were a hole in the system. Chief Langmeyer said we were not a hole in the system. We would be joining in with our neighbors. Wolverine Lake has them already. Milford, Novi, South Lyon and Oakland County Sheriff Department are in the process of getting them. We will be working with them to make sure we have the biggest coverage that we can. Councilmember Smiley said he was all for this. He was curious as to who would decide where the cameras would be located. Chief Langmeyer said that we have not decided on the areas. We will look at the best locations where we get the most coverage. He indicated we would be working with Flock and our neighboring communities to select the best locations. Councilmember Smiley asked how we arrived at ten cameras. Chief Langmeyer said that they sat down and talked about the best areas. They started with six or seven, but kept adding more until they got to ten. There was nothing scientific about it, only discussions.

Mr. Benson said he has heard of local businesses talking about installing Flock cameras. He thought there was some ability to utilize that connection for our own public safety purposes. Mr. Wayne commented that they do have different teams at Flock who will work with businesses, HOAs or apartment complexes who could share the information with their local police departments. There would be more cameras in the community that wouldn't have to be funded by the police department. They wouldn't have the same access that the police have but they could share that information with the police departments for their investigations.

Councilmember Gronlund-Fox said she supported this project. She wondered about the timeline once this was approved. Mr. Wayne said that it could vary with certain locations. It would depend on whether they were on the Road Commission's right-of-way or the City's right-of-way. Usually with County permits, the turnaround time could be 2-3 months getting it installed. We also have to worry about the ground freezing. Councilmember Gronlund-Fox asked if the purging in 30 days could be amended if there was an active investigation. Chief Langmeyer said that he could go in and mark a photograph as evidence. Councilmember Gronlund-Fox said she was glad that the facial recognition was brought up. She knew there have been issues about big brother and there has been concerns about that.

Councilmember Gottschall said he has been torn about this because of the infringement on people's rights, even though he knew you can't expect to have any privacy when you are in public. The map showing where we have had crime looks like it is mainly at the apartments. Years ago, the Council had discussions about the apartments doing a better job with security patrol, cameras, etc. He wasn't sure that they have done that. He asked if they had security cameras at the apartments. Sergeant Machala said that if they have security cameras, they would be close to the clubhouses. Some of the apartment complexes are so massive that to have cameras in every parking lot would be next to impossible. He said he has noticed that a lot of residents are taking their security into their own hands. We are seeing a lot of security cameras in their own windows, but it wasn't anything that the apartment complex has installed. Councilmember Gottschall understood it would help other factors. It seems like we will be targeting specific areas that are choosing not to address the issue themselves. Ultimately, the apartments are businesses and they have the responsibility to protect their tenants and now we are going to be spending money largely to combat issues that they are choosing to not deal with. That was part of the reason he was torn on this. The other reason was that he didn't know that it gets to the root of the issue. It was nice seeing the photos. He was concerned that it wouldn't share any of the vehicle at all.

Chief Langmeyer said he was not saying the residents are the problems that we are having. Councilmember Gottschall said that was not what the implication was. He suspected it was people coming in from outside the community. To him, it was money being spent before the operators of those businesses are choosing to deal with problems. They should be trying to take care of the issues. He thought security issues would be a lot more hopeful. We have to know who is doing it. People can wear masks. There will always be people who can get around things. We are

spending money to deal with their problems. He thought 66% of it was their problem and instead we are going to spread the cost amongst all of our taxpayers. Chief Langmeyer hoped that if this works well for us, we could start talking to some of these areas about the possibilities of these kinds of cameras or a better security system in those areas.

Councilmember Gottschall new we weren't adding to the forfeiture funds because we aren't part of the task force any longer. Some of the examples talk about drugs being seized or cash being seized. He asked if we could use those funds to add into or reimburse our forfeiture fund. Chief Langmeyer explained that there are two kinds of forfeiture funds, state and federal. We would have to use federal here because state forfeiture funds have to be used for drug enforcement specifically. If we were to get any big federal forfeitures from a task force, that money would go back in there. Right now, we don't have anybody like that. When we use that fund up, it is done.

With respect to working with other departments, Councilmember Gottschall asked if the data that we have is openly available to them whenever they want it or do they have to contact us first. Chief Langmeyer said it is available to them whenever they want it. We can say we don't want to share our data, but the recommendation is that we all share our data. When he queries a car, he looks for a certain license plate and it will come up with five or ten pings. It would be the last five or ten cameras you drove by and it would narrow down where that car belongs. Councilmember Gottschall asked if the annual \$30,000 would change if we were to add or remove cameras. Chief Langmeyer said that amount was based on the number of cameras we have. Councilmember Gottschall noticed that we would try to use existing poles and he would prefer that. Chief Langmeyer said it was probably better to use Flock's poles. It is hard to get permission from the County to put something on their pole. It is easier to put your own in. He said they were black and about 12 feet high. Councilmember Gottschall indicated that the number of signs and poles in the City was already an issue. If you drive down Loon Lake Road at night with your bright lights on, there are 30 signs glaring at you. Mr. Wayne said that it would be up to the Police Department as to where the final locations would be but their team would look at the specific areas and try to hide them behind an existing pole or reflective sign to make it as out of the way as possible.

Councilmember Sharpe thought \$650 for each one sounded amazingly affordable. He asked if that was all in, including the communications. Mr. Wayne said that was correct. Councilmember Sharpe said we will have to be proactive and communicate with the residents what we are doing. We should remind them that their license plate was on the rear of the car and they don't have to worry about having their picture taken. Chief Langmeyer agreed. There was a deterrence effect to that, too. We need to show them what they look like, where they are and what they are for. He believed we should get this out there with a strong social media campaign. We would emphasize that we are not doing facial recognition. Councilmember Sharpe supported the funding of this from the forfeiture funds.

Councilmember Gronlund Fox agreed with the transparency; however, she wondered if we would want to say where they were located. Her concern was that she didn't want people to tear them down. Chief Langmeyer replied that we wouldn't tell them exactly where they were located, but we would show them what they look like.

Councilmember Behrmann asked Mr. Wayne if he had seen much vandalism with these and if this was an expense the City would have if they needed to be replaced. Mr. Wayne said that he hasn't seen much vandalism in Michigan. Everything would be covered if the equipment failed on its own. If there was any kind of vandalism, it was covered but there would be an additional cost if the pole or the camera needed to be replaced. It would not be the full cost.

Mayor Beagle said he was in support of this. When we do the social media blast, we can tell them what we are doing. He asked how the Council wanted to handle the funding of this expense. Deputy Mayor Rzeznik suggested that we take the \$10,000 that was budgeted plus \$26,500 from the forfeiture fund to cover the equipment cost.

Councilmember Gottschall asked if the \$10,000 was budgeted for another project. Chief Langmeyer replied that was for basic security cameras around this building. We do not have anything that is an absolute need right now so we can utilize those funds for this.

Mr. Brown confirmed that the agenda item does not speak about how to handle the funding, but we will take \$10,000 from this budget and \$26,500 from forfeiture.

Vote:

Motion Carried

8.) Request for Approval of the First Amended and Restated Interlocal Agreement for the Michigan Air Line Railway Management Council and Authorization for the Mayor and City Clerk to Sign the Agreement

CM-11-175-23: Moved and seconded by Councilmembers Smiley and Gronlund-Fox to request for approval of the First Amended and Restated Interlocal Agreement for the Michigan Air Line Railway Management Council and authorization for the Mayor and City Clerk to sign the agreement.

Mr. Brown said since 2009, we have been party to an interlocal agreement to govern the operations of the former Railway Council, which included Wixom, Walled Lake and Commerce Township. In 2020, Walled Lake notified the other parties that they were withdrawing from the Railway Council. There were a lot of financial tie ups and all of that has taken place. The Railway Council Attorney prepared this agreement and it has been vetted with the Railway Council and our City Attorney. This agreement changes the name to reflect that Walled Lake is no longer a member. The new name is the Michigan Air Line Railway. This agreement also specifies the obligations of the parties, specifies the sources and uses of

revenue that is derived from Trailway property and it specifies the process for withdrawal of a party and the dissolution of the Council.

Councilmember Gottschall said that Section 7E states, "Each Party shall be required to make any annual payment required to keep the budget in balance to the Trailway Council not later than one month prior to the start of the Trailway Council's fiscal year." He noted that we just passed an unbalanced budget. He didn't notice in the agreement where there was a cap to what we would owe or any stipulation that the Trailway Council would only submit balanced budgets, not balanced based on contributions from the parties. He would like to see that added to the agreement because he thought there should be some kind of a limit to what was expected from the City of Wixom every year. He didn't want us to keep getting presented with unbalanced budgets or budgets that could only be balanced if we contribute a certain amount. Mr. Brown said he didn't see any practical way that we could say no more than this or no more than that with year to year variations of what could be happening in terms of maintenance. The language talks about keeping the budget in balance. That reflects usage of fund balance to balance a year to year budget. He thought that was okay. He didn't know of a way to provide Councilmember Gottschall with any comfort that it wouldn't be more than a certain amount of dollars. There was a section in the agreement regarding withdrawal. If we think the year to year contributions were too onerous, we would have the option of withdrawing from the agreement. Councilmember Gottschall said that the agreement pretty much states that we are going to be taking care of our own maintenance at this point. He didn't foresee under what circumstances we would have some great Trailway Council cost for maintenance. He thought there should be some language that calls for a balanced budget that wasn't relying on contributions. We are here if we need to be here because it was an important asset for the communities. Right now, it was \$20,000 but there was nothing to prevent it from going up. There should be a stipulation that they can't present us with any more budgets that are not balanced or are balanced based on our contributions. Mr. Brown said right now we pay a Trailway Manager because there is an individual who is willing to do it for that amount of money. If something were to change in that regard, he couldn't perceive what a future cost for a Trailway Manager would be. There are variables that would be outside of the control of the Council and he didn't see a way to provide that protection. Councilmember Gottschall asked if Mr. Brown didn't see a way to add into the agreement that the budget would be balanced and it wouldn't be balanced based on our contributions. If we are going to make a contribution, great, but we should be relying on billboard revenue and fundraising revenue, not our donations. Mr. Brown didn't think that was feasible. Wixom will have a representative on the Council. If it was getting to the point where the contributions were onerous or beyond what seemed reasonable, Council could provide the representative with marching orders to see to it that next year's budget doesn't reflect this or that. It would require action from both parties to get anything accomplished so he thought the City would have pretty good protection from too large of a requirement. We would also have the ability to not approve the budget. We would have control over the amount up front through the representative and then when the budget is approved on an annual basis. Councilmember Gottschall

thought those ways lead to conflict because they are at a point of needing to get business done. He said he was not a fan of that being left out.

Deputy Mayor Rzeznik said that as an example with another Trailway Council he was associated with, they did get enough from donors in one year where they bought a trail groomer for cross country skiing. The Council voted on it. That was something that was not foreseen in the plan, but they had an abundance of funds. He didn't see how we could restrict some portion of it like that in a way that would make sense for the Council. We always have the power to withdraw. He indicated that he supported this the way it was written.

**Roll Call Vote: (6) AYES – Beagle, Behrmann, Gronlund-Fox, Rzeznik,
Sharpe, Smiley
(1) NAY – Gottschall**

Motion Carried

CALL TO THE PUBLIC:

There were no comments at this time.

CITY MANAGER'S COMMENTS:

Mr. Brown said that there were six employees celebrating their work anniversaries during the month of December. Their years of service range from 22 years to one year. He thanked and congratulated all of them.

Mr. Benson had no additional comments.

COUNCIL COMMENTS:

Councilmember Smiley said he was not available at the last meeting, so he wanted to congratulate Mayor Beagle on his reelection, as well as Councilmembers Gottschall and Behrmann. He also thanked Wixom for supporting his reelection. He was pleased that all of the proposals passed. He hoped to see a good turnout at our annual Tree Lighting and visit from Santa.

Councilmember Behrmann thought the lights around City Hall, Community Center and Library looked nice.

Councilmember Gottschall asked if there would be another pass for the leaf pickup. Mr. Sikma said they expect to get through several sections next week.

Councilmember Sharpe commented that he should have done his homework before talking. He was happy with the Loon Lake contract to Umlor. He went back to the August 22nd agenda and we contracted with HRC for very similar services. It was only \$20,280. It was very similar to what we approved tonight. He thanked Mayor Beagle for loaning him his tie. They had a wager on the University of Michigan and Ohio State football game and he came up on the losing end. Lastly, he was looking forward to the Tree Lighting Ceremony on Friday.

Councilmember Gronlund-Fox thanked and congratulated those employees celebrating their work anniversaries. She was looking forward to Friday night.

Deputy Mayor Rzeznik offered kudos to Sergeant Machala and Chief Langmeyer for looking into very innovative ways for doing law enforcement. He knew his son-in-law's business at the Beck Road exit was hit a number of times over the last couple of years. With as many security cameras as he has around the buildings, it still couldn't get to the level the Flock camera system will get. He said that the bakery space was now occupied by Dough. Mr. Benson commented that we are in the process of scheduling a formal ribbon cutting for them. It was tentatively scheduled for December 7th at noon. Mr. Brown added that they are in the midst of a soft opening right now. Deputy Mayor Rzeznik said with the exodus of brick and mortar pharmacies, we have a lot of retail strip mall space open. He asked if we were seeing any interest. Mr. Benson replied that for the traditional suburban strip malls, he would be lying if he said we were hearing of a lot of calls about them. Some of the spaces that are vacant are relatively unique so reoccupation of those is different. Rite Aid was 8,000 to 10,000 square feet; that was a lot of space to occupy or subdivide. That was different than a traditional 2,500 square foot unit. Those tend to turnover and our occupancy rate is relatively solid on those. There seems to be a significant difference in the interest for units depending on where they are located. Our Wixom Road strip malls are completely occupied and when our downtown units turn over, the interest is significant. It appears to be a quality issue. Deputy Mayor Rzeznik said he was looking forward to the Tree Lighting.

Mayor Beagle thanked and congratulated the six employees celebrating their work anniversaries. We have until December 4th for Stuff the Squad Car to fill that up. He hoped we would get active on that. He was also looking forward to the Tree Lighting Ceremony on Friday. He thanked Councilmember Sharpe for being such a good sport by wearing the University of Michigan tie.

ADJOURNMENT:

The meeting was adjourned at 8:36 p.m.

Respectfully Submitted,

Catherine Buck
City Clerk

Approved 12-12-2023
